

**REMARKS**

The Examiner's Office Action of November 19, 2002 has been received and its contents reviewed. Applicant would like to thank the Examiner for the consideration given to the above-identified application and for indicating that claim 13 contains allowable subject matter.

Claims 1-16 were pending in the present application prior to the above amendment, of which claims 1 and 10 were independent. By the above amendment, claims 1-3, 6, and 8-12 have been canceled and claims 4, 5, 7, and 13-16 have been amended. Accordingly, claims 4, 5, 7, and 13-16 remain pending, of which claim 13 is independent, and are believed to be in condition for allowance for at least the reasons provided below and the amendments set forth above.

Referring now to the detailed Office Action, claims 6, 7, 9, and 14-16 stand objected to as containing informalities. Specifically, claims 6, 7, and 9 are objected to as containing no preceding claim number, and claims 14-16 are objected to as being improperly multiply dependent. Further, claim 13 stands objected to as containing the term "substantially" which can describe varying degree of "flush".

In response to the objection of claim 13, Applicant respectfully directs the Examiner to MPEP 2173.05(b), particularly, subsection D (page 2100-197, Eight Edition, August 2001). According to the MPEP, the usage of the word "substantially" does not automatically render the claim indefinite. When a term of degree is present, it should be determined whether a standard is disclosed or whether one of ordinary skill in the art would be apprised of the scope of the claim. Applicant respectfully submits that Figs. 4 and 4a, and the disclosure in the second paragraph of page 11, for example, sufficiently disclose the meaning of "flush" recited in claim 13 such that one of ordinary skill in the art would be apprised of the scope of the claim.

With respect to the objection of claims 6, 7, 9, and 14-16, Applicant submits that the above-presented claim cancellations and amendments have overcome the objections of these claims.

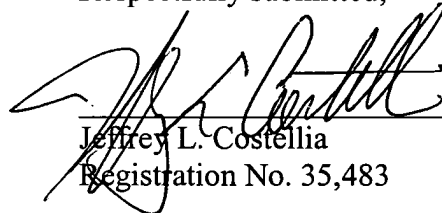
Claims 1 and 10 stand rejected under 35 U.S.C. §102(b) as anticipated by Gerke et al. (U.S. Patent No. 5,009,384 – hereafter Gerke). Further, claims 2-9 stand rejected under 35 U.S.C. §103(a) as unpatentable over Gerke in view of Steventon et al. (U.S. Patent No. 4,647,980 – hereafter Steventon).

As amended, claim 13 recites all the features of cancelled claims 10-12. Further, claims 4, 5, and 7 have been amended to change their dependency from claim 1 to claim 13 and to recite a subway car.

As amended, claim 13 contains allowable subject matter and has been rewritten to contain all the features of a base claim as well as all intervening claims. Consequently, claims 1-3, 6, 8-12 have been canceled and their rejections are rendered moot.

Having responded to all objection and rejections set forth in the outstanding Office Action, it is submitted that claim 13 and its dependent claims 4, 5, 7, and 14-16 are now in condition for allowance. An early and favorable Notice of Allowance is respectfully solicited. In the event that the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is courteously requested to contact Applicant's undersigned representative.

Respectfully submitted,



Jeffrey L. Costellia  
Registration No. 35,483

NIXON PEABODY LLP  
8180 Greensboro Drive, Suite 800  
McLean, Virginia 22102  
(703) 770-9300

JLC/LCD